

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

George Stewart,

Plaintiff;

v.

**Texas Tech University Health
Sciences Center, et al.,**

Defendants.

Case No. 5:23-cv-0007-H

**NOTICE OF MOTION AND MOTION OF DEFENDANTS TO
SUBSTITUTE PARTY PURSUANT TO RULE 25(d)**

Defendants The University of Texas at Austin Dell Medical School (“Dell Medical School”) and Steve Smith move pursuant to Rule 25(d) of the Federal Rules of Civil Procedure to substitute Travis Crook for Steve Smith in his official capacity as the Associate Dean of Student Affairs at Dell Medical School as a defendant in this action. Rule 25(d) provides that when an officer who is a party to an action “resigns, or otherwise ceases to hold office,” his successor “is automatically substituted as a party.” FED. R. CIV. P. 25(d)(1).

Steve Smith, a defendant sued in his official capacity, no longer serves as the Associate Dean of Student Affairs at Dell Medical School. Travis Crook now serves as the current Associate Dean of Student Affairs, and should therefore be substituted as a party in this action in place of Smith for all further proceedings in this action.

Defendants respectfully request that the Court order this substitution in accordance with Rule 25(d). A proposed order is attached to this notice and motion.

Dated: May 24, 2024

Respectfully submitted,

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Attorneys for the University of Texas Defendants

CERTIFICATE OF CONFERENCE

Counsel for plaintiff does not oppose the substitution of defendant per an email exchange on May 15 and May 22, 2024. Defendants wanted to correct names of parties before serving responses and objections on discovery.

CERTIFICATE OF SERVICE

I certify that on May 24, 2024, I served a copy of this document on all counsel of record by electronic means.

Layne E. Kruse

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